

**CITY OF CAYCE  
Public Hearings and Regular Council Meeting  
June 4, 2007**

**Public Hearing – Utility Rate Structure**

A Public Hearing was held at 4:00 p.m. in Council Chambers to obtain public comment on the proposed City of Cayce Utility Rate Structure. Those present included Mayor Avery B. Wilkerson, Jr., Councilmen James Jenkins, Kenneth Jumper, Robert Malpass, and Rick Myers, City Manager John C. Sharpe, and Tammy Barkley, Municipal Clerk, and City Attorney, Danny Crowe. Mayor Wilkerson advised that members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA.

**Opening Statement**

Mayor Wilkerson stated that the purpose of the Public Hearing was to obtain public comment regarding the Proposed City of Cayce Utility Rate Structure to become effective July 1, 2007. He stated that each year, the City holds an open hearing regarding any proposed increase in rates for each budget year and that any increases approved would become effective July 1, 2007. He stated that the city's auditors have prepared a rate study that includes the cost to maintain the quality of service to the city's water and wastewater services. He stated that an initial vote will be taken on first reading of an Ordinance at tonight's meeting and second and final reading of the Ordinance would take place at a later date.

**Public Testimony**

No one from the public in attendance offered any public testimony or comment.

**Close Hearing**

Mayor Wilkerson closed the public hearing noting that no public comment was received.

**Public Hearing – FY2007-2008 Budget**

A second Public Hearing was held immediately following the above to obtain public comment on the proposed FY 2007-2008 City of

Cayce Budget. Mayor Wilkerson advised that members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA.

### **Opening Statement**

Mayor Wilkerson stated that the purpose of the Public Hearing was to obtain public comment regarding the Proposed City of Cayce FY 2007-2008 Budget. He noted that the FY 2007-2008 projected budget includes a total increase of 5.28% over the City of Cayce's current FY 2005-2006 budget.

### **Public Testimony**

No one from the public in attendance offered any public testimony or comment.

### **Close Hearing**

Mayor Wilkerson closed the public hearing noting that no public comment was received. He stated that additional budget issues would be discussed during the Regular Meeting to follow.

### **Regular Meeting**

The Regular Council Meeting immediately followed the Public Hearings. Those present included Mayor Avery B. Wilkerson, Jr., Councilmen James Jenkins, Kenneth Jumper, Robert Malpass, and Rick Myers, City Manager John C. Sharpe, and Tammy Barkley, Municipal Clerk, and City Attorney, Danny Crowe. Also in attendance was Mr. Bob Milhous, the City's Auditor, Mr. Frank Robinson, Director of Utilities, Mr. Ken Knudsen, Director of Planning and Development, and Mr. Morgan Armstrong of Plan Benefit Services. Mayor Wilkerson advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

Mayor Wilkerson opened the meeting with the invocation and then led everyone in the Pledge of Allegiance.

### **Approval of Minutes**

The minutes of the May 1, 2007 Regular Meeting, May 10, 2007 and May 17, 2007 Special Meetings were presented for approval. Mr. Myers made a motion that the minutes be approved as submitted. Mr. Jumper seconded the motion which was unanimously approved.

### **Presentations**

- A. Presentation by Mr. David Hilburn Re Potential Development and Concord Park

Mr. Hilburn and his partner, George Delk, appeared before Council to provide Council with an update on plans for the development of his property on the north and south side of Taylor Road. He explained the concept and development of a new subdivision, Concord Park. He stated that the neighborhood would be targeted to 25 to 55 year olds who are looking for a home that would be closer to work and a good neighborhood. He provided other statistics of the typical individual who would live in the neighborhood. He stated that the subdivision would include a working clock tower that will be the landmark for Concord Park. He provided Council with additional details of the proposed subdivision stating that the price point of housing will be from \$169,000 to \$350,000 and that the subdivision will include 208 lots on the south side Taylor Road property. Regarding the 16 acres on the north side of Taylor Road, Mr. Hilburn stated that this area would be targeted to mature adults and young professionals without children. The plans are to build a brick patio home development with approximately 40 housing units. Mr. Myers inquired as to the total amount of investment for the development projects. Mr. Hilburn stated the development is an approximate \$55 to \$60 million project. Mr. Myers inquired as to the time frame for breaking ground for the project. Mr. Hilburn stated the project is ready for immediate and that clearing of the land has begun. He stated that he hopes to have a house standing by January 2008. Mr. Jumper stated that this project would be a great benefit to Cayce. Mr. Jenkins inquired as to any plans for developing a shopping center. Mr. Hilburn stated that he was not a commercial developer, but in the locations of his other projects, commercial development grows to provide restaurants, shopping and recreational development. Mr. Malpass stated that he appreciated Mr. Hilburn's willingness to invest in this type of project in the City of Cayce. Mayor Wilkerson thanked Mr. Hilburn for attending the meeting and for his presentation.

B. Presentation by Ms. Heather Crapps Re Animal Issue

Ms. Crapps appeared before Council to discuss an issue she is having with Animal Services. She stated that there seems to be an ongoing serious animal control issue for the residents for the City of Cayce. She read a letter she sent to Public Safety in February 2007 regarding problems she was experiencing with stray animals in the area which were luring her dogs out of her yard. She stated that she has not received a reply to this letter. She stated that she has paid numerous fines for her dogs being loose, but felt that not enough was being done to capture stray animals. She stated that since the letter was written, her son found a stray dog in the neighborhood and brought it home. She stated that she found the dog a home and eventually the dog was returned to her as it did not work out with the new owner. She stated she called Animal Services to come and get the dog on June 4 and it was quite some time before they came and retrieved the animal. She stated that when they did come to get the dog, she was told that the dog would be euthanized immediately. She suggested that the City look into instituting some type of adoption service. She stated that the City's animal shelter was in deplorable condition. Mayor Wilkerson asked Ms. Crapps to provide the City Manager with the information she presented so that he could meet with Chief McNair and the Animal Services Officers to resolve this issue. He stated that it is very difficult to control the animals in the city and asked Ms. Crapps to give staff some time

to do review the issues raised and report back to her. Ms. Crapps stated that her biggest complaint is not that her animals were picked up, but that the strays are not being picked up and felt there were ways to prevent this.

Mr. Myers inquired as to which Animal Services Officers had made a statement regarding the stray and if it was picked up it would be euthanized today. Ms. Crapps stated that she could not remember which officer made the statement. Mr. Malpass inquired as to how many times Ms. Crapps had called Animal Services and no response was received. Ms. Crapps stated that she has called at least 20 times and always gets an answering machine. She stated that she did not leave her number each time as she felt it was a futile effort. Mr. Malpass stated that he wanted staff to submit a written summary of this issue and the resolution. Mr. Jenkins asked that Ms. Crapps not be issued any further citations until this matter has been resolved.

### **Ordinances**

#### **A. Approval of Ordinance Prescribing Rates for the City of Cayce Utility Rate Structure – First Reading**

Council considered for first reading an Ordinance prescribing rates for the City of Cayce Utility Rate Structure. The City Manager advised that the City's auditors had prepared for Council as requested, revenue projections based on a proposed 5% increase in utility rates. He stated that bond calculations were included in the analysis as well as the projected revenues and expenses for FY 2007-2008. He advised that with the proposed rate adjustment, the debt service coverage ratio should be met at 1.15 as required. Mr. Milhous stated that Council has asked his firm to review the city's debt covenants and rate structure each year. He stated that he had provided management with proposed rates that includes a 5% increase. He stated the study completed was to ensure that the City would be compliant with debt covenants, that the city would meet its overall increase in cost of living, and based on the city's recently approved ordinance, to refund one of its long term revenue bond issuances. In addition the city could reimburse expenses for the Pump Station No. 1 project and the Midlands Utility purchase. He stated that the 5% increase proposed is almost a break even concept in meeting these objectives. Mr. Malpass inquired if the study included comparison of rates with surrounding municipalities. Mr. Milhous advised that this information was not included in the study. Mr. Malpass asked that this information be provided to Council prior to the second and final reading on the Utility Rate Structure Ordinance.

Mr. Myers made a motion to approve the Ordinance on first reading. Mr. Malpass seconded the motion. Mr. Myers stated that he understood that no rate increase would be needed if the City decided to reimburse itself for the two projects mentioned about or up to \$8 million. He inquired as to what would be done with the additional revenues collected from the proposed 5% increase in rates. The City Manager advised that the proceeds would go towards meeting the debt coverage ratio. Mr. Milhous stated that the city has been operating on a short term, break even rate

analysis. He stated with regard to the expansion of the wastewater treatment plant and the fact of sticker shock down the road, that it is time for Cayce to have a comprehensive analysis of its structure to be able to project for the long term. He stated that the incremental increases were necessary because the City has acquired new systems that require additional maintenance and repair costs. He stated that the prudent practice is to make sure the system has reserves. At this time, Mr. Milhous stated that the city has consumed its reserves and the increment will not only meet the debt coverage, based on the Ordinance Council passed, but also the debt service requirements. After discussion, the motion was unanimously approved.

B. Approval of Text Amendment to Section 7.14 of the City of Cayce Zoning Ordinance Re Big Box Regulations – First Reading

Council considered for first reading the approval of a text amendment to the City of Cayce Zoning Ordinance in reference to large-scale commercial development referred to as big box development. The City Manager advised that there was concern about big box retail developments that may plan on locating in the City and the fact that the City's Zoning Ordinance does not address or regulate this type of development. Mr. Myers made a motion to approve the Ordinance on first reading. Mr. Malpass seconded the motion. Mr. Knudsen stated that in reviewing the Zoning ordinance, it was realized that it needed some tightening up to address concerns of big box development. He stated that the Planning Commission spent three months working on this issue and commended them on their efforts. Mr. Myers stated that in the Public Hearing announcements and Planning Commission minutes it states the minimum size for a single use building as 100,000 sq. ft. and not 90,000 sq. ft. as stated in the Ordinance. He asked that this information be rechecked to make sure it is consistent. Mr. Myers inquired if all available properties adjacent to neighborhoods were identified and then reviewed with the proposed recommendations to make sure the neighborhoods would be protected. Mr. Knudsen stated that the available properties were not identified, but that item five in the proposed ordinance addresses this concern. Mr. Jumper inquired if the city had been approached by this type of development. Mr. Knudsen stated that no one has approached the city on this type of development, but suggested that the proposed recommendations be approved for any future development of this type. After discussion, the motion was unanimously approved.

C. Approval of Ordinance Amendment to Section 10-32 of the City of Cayce Code Re Building Permits – First Reading

Council considered for first reading the approval of an Ordinance to amend certain sections of the City's Code of Ordinances regarding building permits. The City Manager stated that Council discussed this issue at the last meeting and requested that the limit be set at 18 months for completion of a project from the issue date of the permit. Mr. Jumper made a motion to approve the Ordinance on first reading. Mr. Malpass seconded the motion. Mr. Jenkins inquired if there were provisions in the Ordinance to extend the 18-month period in the event of a sudden illness that would prohibit the homeowner from completing the project. The City Manager stated that

provisions could be included in the Ordinance for this type of extension and will direct the City Attorney to revise the Ordinance to include this provision prior to second and final reading. After discussion, the motion was unanimously approved.

D. Approval of Ordinance to Annex and Zone Property Located on the South Side of Taylor Road – Second Reading

Council considered for second and final reading an Ordinance to annex and zone RS-3 (Single Family Residential) property located on the south side of Taylor Road. Mr. Myers made a motion to approve the Ordinance on second and final reading. Mr. Malpass seconded the motion which was unanimously approved.

E. Approval of Ordinance to Rezone Property Located on the North Side of Taylor Road – Second Reading

Council considered for second and final reading an Ordinance to rezone property located on the north side of Taylor Road from RS-3 (Single Family Residential) to RG-2 (General Residential.) Mr. Jumper made a motion to approve the Ordinance on second and final reading. Mr. Malpass seconded the motion which was unanimously approved.

F. Approval of Ordinance Authorizing the Sale of Real Property of the City of Cayce at 1114 State Street, Parcel 2 – Second Reading

Council considered for second and final reading the approval of an Ordinance authorizing the sale of real property of the City of Cayce at 1114 State Street, Parcel 2. The property will be sold to Mr. Tim Jur. A contract has been prepared for the sale for \$22,500. Mr. Myers made a motion to approve the Ordinance and to authorize the City Manager to sign the contract. Mr. Malpass seconded the motion which was unanimously approved.

**Contracts, Agreements, Other**

A. Bid Award – Cayce Riverwalk Park Extension - Phase II

The City Manager stated that Phase II of the Cayce Riverwalk Park extension would extend the walkway from the point where the bridge now ends at the Santee Cooper property to the Riverland Park club house . He stated this phase includes approximately 2,835 linear feet of eight-foot concrete pathway, emergency call boxes and lighting. He stated that bids were opened on May 15, 2007 and that six companies submitted bids for the project. The City Manager provided Council with the bid tabulation information. The low bid was submitted by the Joe Singleton Company at \$323,990.00 and that Ken Simmons recommends that this bid be accepted. He stated that for Phase II, the City has been awarded another Recreational Trails Grant from PRT in the amount of \$120,000.00 and that at the completion of the Phase I extension, \$313,114.68 remained for continuing construction for future phases. He stated that based on these calculations, the City should have sufficient funds available from the

original appropriation to complete the Phase II expansion with a net remaining of approximately \$89,124.68.

Mr. Myers made a motion to award the bid to Joe Singleton Company and to authorize the City Manager to sign construction documents for the Phase II extension project. Mr. Malpass seconded the motion which was unanimously approved.  
Unanimous

B. Continued Discussion of FY2007-08 Draft Budget and Approval of Ordinance to Adopt FY2007-08 Budget and to Provide Revenue for the City of Cayce for Fiscal Year 2007-08 – First Reading

Mayor Wilkerson noted that one of the highest ticket items within the budget is the health insurance program and he asked Mr. Morgan Armstrong to attend the meeting to discuss this issue with Council. Mr. Armstrong advised that BCBS still remains to be the most competitive company. He explained the process of coming up with different options for Council to consider and provided Council with those options for review and consideration. Council discussed the Health Reimbursement Account (HRA) option and generally agreed that this was the best option for the city and its employees.

Regarding the funds that were deleted from the original draft budget for the two NET Team officers, Mr. Jenkins stated that he felt these two positions needed to remain in the budget but had concerns with the amount of work they were involved in with Lexington County rather than in-city responsibilities. Chief McNair provided Council with additional information regarding the responsibilities of the NET Team officers and the importance of their continuing with the Team. Mr. Myers expressed his concern with the use of the City taxpayers' funds in providing service in the County rather than to the City. Chief McNair explained that the work done by the Team benefits the City greatly. Mr. Malpass made a motion to revise the proposed FY 2007-2008 draft budget to include the two positions in the budget. Mr. Jenkins seconded the motion. Mr. Malpass inquired as to how these positions would be funded. The City Manager stated that the business license revenues could be adjusted accordingly as a result of recent conversations with SCANA and additional plans they have for this upcoming fiscal year. Mr. Myers stated that he was not against the two positions, but did have a concern with the present job descriptions. After discussion, the motion passed four to one with Mr. Malpass, Mr. Jumper, Mr. Jenkins and Mayor Wilkerson voting yes and Mr. Myers voting no.

Mr. Malpass made a motion to approve the Ordinance to adopt FY 2007-2008 Budget and to Provide Revenue for the City of Cayce for Fiscal Year 2007-2008 as presented and revised on first reading. Mr. Jenkins seconded the motion which was unanimously approved.

## **Committee Matters**

### **A. Appointments and Reappointments**

#### **Cayce Events Committee – Three (3) Positions**

The following members' terms expire June 2007: Mr. John Diamond, Mr. Pete Cassidy, Ms. Frankie Newman. All have been contacted and would like to serve again. It is recommended that the members be reappointed to the Committee. Mr. Malpass made a motion to reappoint the members to the Committee. Mr. Jumper seconded the motion which was unanimously approved.

#### **Cayce Housing/Construction Board of Appeals – One (1) Position**

There is one open position on the Board. A potential member application has been received from Mr. Timothy L. Williams who would serve as a member-at-large on the Board and is attached for your review. It is recommended that Mr. Williams be appointed to the Board. Some discussion was held regarding the requirements and/or experience of the members of the Board. It was felt that those that serve on this board should have the proper technical experience or work related experience background to serve. Council asked staff to review the issue in detail and provide them with additional information on the composition of the Board. Mr. Jumper made a motion to table the issue. Mr. Myers seconded the motion which was unanimously approved.

#### **SPAT Committee – One (1) Position**

There is one open position on the Committee. A potential member application has been received from Ms. Cindy Pedersen and is attached for your review. It is recommended that Ms. Pedersen be appointed to the Committee. Mr. Myers made a motion to appoint Ms. Pedersen to the Committee. Mr. Jenkins seconded the motion which was unanimously approved.

### **B. Committee Minutes – Approval to Enter Into Record**

Council reviewed the following Committee meeting minutes for approval to enter into the official city record:

Planning Commission – April 16, 2007

Beautification Board – May 2, 2007

Cayce Historical Museum Commission – May 9, 2007

Cayce Events Committee – May 10, 2007

Mr. Jumper made a motion to approve that the minutes be entered into the official City record. Mr. Malpass seconded the motion which was unanimously approved.

### **Public Comment**

Mayor Wilkerson inquired if anyone in attendance had signed the speakers' list to address Council on municipal matters listed on the agenda. Ms. Barkley advised that no signatures had been obtained.

### **City Manager's Report**

The City Manager stated that the May financial reports would be sent to Council next week.

Council agreed to reschedule the Regular July Council Meeting to July 10, 2007.

Mr. Malpass inquired as to the status of Ms. Harris' drainage issue. The City Manager advised that staff was on top of this issue and have met with the City Attorney to discuss. He stated that Ms. Harris' has been called and staff is waiting to hear back from her.

Mr. Malpass inquired as to the status of changing zip code in areas recently annexed into the City. The City Manager advised that the city received a letter today from the District Postmaster who has declined the request. He stated that a copy of the letter will be sent to Council in this week's mail.

Mr. Jenkins inquired about the list of streets to be repaved that was presented to Council previously. The City Manager advised that this is still an ongoing project.

Mr. Myers inquired about the status of the Norfolk southern trestle. The City Attorney advised that he sent a letter today to Norfolk Southern advising them that they are in violation of the city's Ordinance and that the matter has been sent to Department of Public Safety to handle appropriately.

There being no further business, meeting adjourned at 6:45 p.m.

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Avery B. Wilkerson, Jr., Mayor

**ATTEST:**

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Tammy P. Barkley, CMC, Municipal Clerk